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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,874	02/21/2002	Nandakumar Gn	Gn 3-3-1-1-1	9904

47386 7590 07/05/2007

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1300 POST ROAD
SUITE 205
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EXAMINER	
TRAN, MYLINH T	
ART UNIT	PAPER NUMBER
2179	
MAIL DATE	DELIVERY MODE
07/05/2007	PAPER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

MAILED

JUL 0 5 2007

Technology Center 2100

Application Number: 10/081,874
Filing Date: February 21, 2002
Appellant(s): GN ET AL.

Kevin M.Mason
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 03/07/07 appealing from the Office action mailed 01/30/06.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,806,890	Audleman et al.	10-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Audleman et al. [US. 6,806,890].

As to claims 1, 8, 12 and 22, Audleman et al. disclose a computer implemented method and corresponding apparatus for generating a graphical interface for one or more software applications having a command line interface (column 1, lines 43-55) comprising the steps/means for querying a user to specify properties of one or more option groups provided by each of the software applications (column 3, lines 21-30); and generating a graphical user interface based on the specified properties for each of the software application, and the graphical user interface identifying each of said software applications and allowing a selected one of said software applications to be accessed (figures 4A-4G, column 8, line 35 through column 9, line9).

As to claims 2 and 13, Audleman et al. teach the properties of each option group including an indication of whether the various options within an option group can be used together (column 4, lines 5-62). It was inherent that there is indication to tell the computer system which options can be grouped together in order for the user to query to specify properties of the option group.

As to claims 3 and 14, Audleman et al. teach an indication of any input file requirements (column 4, line 28 through column 5, line 55). It was inherent that there is indication of any input file to specify properties of each option group otherwise the step of specifying properties of the user does not happen.

As to claims 4 and 15, it is inherent that each of the software application in the computer system would have a corresponding name.

As to claims 5 and 16, it was inherent that each of the software applications in the computer system would have a corresponding location.

As to claims 6 and 17, Audleman et al. also shows the graphical user interface allowing a client to access a selected software application without regard to a location of said selected software application (column 4, line 5 through column 5, line 55). The user can download the software application anywhere from the server which the application is located.

As to claims 7 and 18, Audleman et al. provide the graphical user interface presenting a client with only valid options for a selected software application (column 8, line 35 through column 9, line 10). It was inherent that only valid options are presented to the user for specifying their properties.

As to claims 9 and 19, Audleman et al. also provide a central server interacting with one or more clients and a remote server where said selected software application is located (column 1, lines 48-51). It was inherent that in order to download the software application from the remote server, the user needs to go through another server (central server) for user login.

As to claims 10 and 20, Audleman et al. demonstrate the central server interacting with the one or more clients and sever using a remote server script (column 2, line 55 through column 3, line 30).

As to claims 11 and 21, Audleman et al. also demonstrate the remote server script providing any necessary input files to said remote sever, initiates the execution of said selected software application on said remote sever and returns any results to said client (column 2, line 55 through column 3, line 30).

(10) Response to Argument

Audleman et al. disclose:

The Audleman's system discloses "a graphical user interface can be automatically generated from a command syntax for managing multiple computer systems as one computer system. The command syntax is represented using an eXtensible Markup Language (XML) document file, an XML schema file, and a text description file. The XML document file, XML schema file, and text description file are maintained on a server and downloaded to a client as required. A user interface program uses the XML document, XML schema, and text descriptions to generate a "Wizard" that comprises the graphical user interface, wherein the Wizard provides a series of step-by-step dialogs (figures 4A-4G) for assisting the operator in creating a command from the command syntax".

The present invention discloses:

A method and apparatus are disclosed for generating a graphical interface for software applications having a command line interface to enable local or remote access of such software applications in a uniform manner without regard to the location of the remote application. The location and syntax of a new software application, and any required environment settings, are specified in response to, a sequence of queries. The specifications for each software application is parsed to generate a graphical client interface listing the available software applications and enabling remote access to such software applications. A desired software application is selected by a user from the client interface and the user specifies any necessary parameters for the selected software application. An input file is transferred from the client to the remote server where the selected software application is located. Any output or log files are returned to the client, for example, using the FTP protocol. The client interface permits distributed processing through a web interface and enables software applications to be accessed and used from a remote location.

1) Appellant has argued that "Audleman does not disclose or suggest option groups as defined in the present invention, and does not disclose or suggest specifying properties of option groups".

Appellant stated that "options groups" as disclosed at page 8, lines 15-18 of the present disclosure, cited "the developer is then queried during step 540 to specify the properties of each option group, i.e, for the constraints associated with a given option group, such as whether the various options within an option group can be used together and any input file requirements"

The software applications have the following general syntax:

Tool_name [option 1] [option 2].....<filename>

"where each of these options further can be of one of the following types {exactly one parameter; one or more than one; none or more and with or without an input file}. In this manner, the developer 210 or administrator can establish groups and subgroups of parameters with similar properties".

Appellant also stated that "specifying properties of options groups" as disclosed at page 12, lines 21-24 of the present disclosure, cited "the developer 210 or administrator is queried using a second interface 900, shown in FIG, 9, to specify the properties of each type of' option, i.e, for the constraints associated with a given option group, such as whether the various options (identified in window 950) within an option group can be used together in field 910 and any input file requirements in field 970. Once the tool is registered, the web page

1100 allows the user to specify the arguments for the input files for the various option groups, as appropriate".

The Examiner respectfully disagrees because Audleman et al. disclose "option group" as "resource types, verbs, keywords and **parameter**" (column 3, lines 23-24 and column 4, lines 5-20). Audleman et al. also teach the step of "specifying properties of option groups" as "the user interface program 114 then dynamically displays a "Wizard" comprising a step-by step series of dialogs that guide the operator through the command syntax, and constructs one or more commands based on the operator sections from the dialog (figures 4a-g, column 3, lines 24-30). The appellant's attention is also directed to column 8, line 35 through column 9, line 9 for further supporting of "specifying properties of option groups".

In response to appellant's argument that the reference fails to show certain features of applicant's invention, it is noted that the features upon which applicant relies (page 8, lines 15-18) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Therefore, "**option groups**" can still be read in light of Audleman's teaching because ***VERB, RESOURCETYPE, KEYWORD, PARAMETER are, in fact, option groups provided by each of the software applications.***

According to Applicant's above argument, "Audleman et al. fail to teach, suggest or disclose **option groups, specifying properties of option groups**". By that, and by the "**option groups**" definition in page 8, line 28, to page 9, line 4 and by "**specifying properties of option groups"** definition in page 12, lines 4-6, of the specification, ***the invention is about "exactly one parameter; one or more than one; non or more and with or without an input file", while the claimed language is only about "option groups"; however, the applicant did not claim this invention feature as argued***. These two terms, in fact, have different implication. The specification sets forth examples of what the options groups are, but does not limit the terminology to only those examples. "***Option groups***" alone can still be read in light of Audleman's teaching because ***VERB, RESOURCETYPE, KEYWORD, PARAMETER are, in fact, option groups provided by each of the software applications.***

2) Appellant has also argued that Audleman does not teach "a remote server script that provides any necessary input files to a remote server, and of initiating the execution of a selected software application on the remote server and returning any results to a client".

The term of "script" is defined in the "Microsoft Press Computer Dictionary" as "A type of program that consist of a set of instructions to an application or utility program. A script usually consists of instructions expressed using the application's or utility's rules and syntax, combined with simple control structures such as loops and if/then expressions".

The appellant's attention is directed at column 2, lines 60-62 that Audleman discloses "remote server" as "computer system 100 using a network 102 to connect one or more clients 104 to a server 106 having one or more data storage devices 108. The networks 102 may comprise networks such as LANs, WANs, SNA networks, and the Internet". "Command Servers" (column 3, lines 10-11) of the Audleman's system are considered as the "remote server script" of the present invention because the server 106 also executes one or more Command Servers 110 that communicate with all of the Command Servers's 108 and the clients 104 for providing operator control of the Command Processor's 108. The Command Servers 110 maintains a collection of related XML files 112 that represent the command syntax for Command Processor's 108...The client 104 executes a user interface program 114 that interacts with the Command Servers's 110 to provide an operator with control over the Command Processor's 108. The user interface program 114 receives a copy of the XML files 112 from the Command Server 110, wherein the XML files 112 represents a command syntax....The user interface program 114 then dynamically displays a "Wizard comprising a step-by-step series of dialogs that guide the operator through the command syntax, and constructs one or more commands based on the operator selections from the dialogs". **The Command**

Servers contains the remote server scripts that consists of instructions expressed using the application's or utility's rules and syntax.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Mylinh Tran

Conferees:

SPE. Lynn Browne

Appeal Panel Member

SPE. Weilun Lo

AU 2179